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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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WAYNE EDWARD HANDY,

Plaintiff,

*versus*

R. DAVIS, *et al.*,

Defendants.

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CIVIL ACTION NO. 1:12-CV-71

**MEMORANDUM ORDER ADOPTING THE  
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff, Wayne Edward Handy, an inmate confined at FCI Beaumont, proceeding *pro se*, filed this civil rights action pursuant to 42 U.S.C. § 1983, against the following defendants: R. Davis, J. Good, B. Odom, K. Cammack, D. Bunger, UP Shaw, UP Williams, UP Hagemeyer, and J. May.

The Court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. The Magistrate Judge recommends plaintiff's civil rights action be dismissed pursuant to Federal Rule of Civil Procedure 41(b) as plaintiff has failed to pay the initial partial filing fee as ordered on July 16, 2012. Plaintiff has still yet to pay the initial partial filing fee as ordered and was admonished that failure to do so could result in this action being dismissed for want of prosecution.

The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such referral, along with the record, and pleadings. No objections to the Report and Recommendation have been filed by either party to date.

## ORDER

Accordingly, the findings of fact and conclusions of law of the Magistrate Judge are correct and the report of the Magistrate Judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the Magistrate Judge's recommendations.

SIGNED at Sherman, Texas, this 18th day of October, 2012.

A handwritten signature in cursive script that reads "Marcia A. Crone".

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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE